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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/692,324 | 10/23/2003 | Timothy P. McKee | MSFT121820 | 8607 |

28319 7590 10/26/2006

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EXAMINER

NGUYEN, VAN H

ART UNIT PAPER NUMBER

2194

DATE MAILED: 10/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

INFORMATION REQUIREMENT

Requirement For Information - 37 C.F.R. § 1.105

1. Applicant and Assignee of this application are required under 37 C.F.R. 1.105 to provide the following that the Examiner has determined is reasonably necessary to the examination of this application.

Information Disclosure Statement

M.P.E.P section 2004 (Aids to Compliance With Duty of Disclosure) recites the following:

13. It is desirable to avoid the submission of long lists of documents if it can be avoided. Eliminate clearly irrelevant and marginally pertinent cumulative information. If a long list is submitted, highlight those documents which have been specifically brought to applicant's attention and/or are known to be of most significance. See *Penn Yan Boats, Inc. v. Sea Lark Boats, Inc.*, 359 F. Supp. 948, 175 USPQ 260 (S.D. Fla. 1972), *aff'd*, 479 F.2d 1338, 178 USPQ 577 (5th Cir. 1973), *cert. denied*, 414 U.S. 874 (1974). But cf. *Molins PLC v. Textron Inc.*, 48 F.3d 1172, 33 USPQ2d 1823 (Fed. Cir. 1995).

It is noted that the IDS's submitted represents multiple *thousands* of pages of highly technical disclosure, which meets the test of a "long list", i.e, 128 NPL and more than 100 patents or patent publications. The references cited in the IDSs will not be considered until an *underlining* of the most relevant documents is provided, per M.P.E.P. 2004.

Please do not delineate the references using a highlighter since the documents will be scanned and the highlighted sections will not be visible. Applicant's forthcoming

assistance is gratefully anticipated.

In response to this requirement, please provide:

Stipulate whether each and every individually cited reference listed on the IDS(s) submitted is material to the patentability of the instant application; the applicant may either *agree* or *disagree* for each cited reference.

Identify, for each and every citation listed on the IDS(s) submitted for which applicant *agrees* is material to the patentability:

- a. The differences between the claimed invention and those references cited therein,
- b. How each reference is material to the patentability, based upon the technical and legal knowledge of the Applicant, of the claimed invention,
- c. Provide how the instant claimed invention is an improvement over each and every reference that is listed in the IDS submissions.

In order to constitute a complete response Applicant is required to include stipulations for each and every reference cited in the IDS submission(s), as delineated in requirement A.

The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 C.F.R. 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete reply to the requirement for

that item.

The fee and certification requirements of 37 C.F.R. 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. 1.105 are subject to the fee and certification requirements of 37 C.F.R. 1.97.

This requirement is subject to the provisions of 37 C.F.R. 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 C.F.R. 1.136(a).

Contact Information

2. Any inquiry or a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM

6:00PM. The examiner can also be reached on alternative Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM THOMSON can be reached at (571) 272-3718.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
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